APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/677,134	09/29/2000	Stanton J. Taylor	10022/039	1622

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EXAMINER
CORRIELUS, JEAN M

ART UNIT	PAPER NUMBER
2162	

DATE MAILED: 12/06/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.

EXAMINER

ART UNIT	PAPER

111604

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner for Patents

Please withdraw the finality of the last office action.

Jean M Corrielus
Primary Examiner
Art Unit: 2162

	Application No.	Applicant(s)
Office Action Summary	09/677,134	TAYLOR, STANTON J.
	Examiner	Art Unit
	Jean M Corrielus	2172

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on _07 July 2003_ .

2a) ☐ This action is **FINAL**.   2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) _1-41_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) _1-41_ is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11) ☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

    If approved, corrected drawings are required in reply to this Office action.

12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____ .

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

    a) ☐ The translation of the foreign language provisional application has been received.

15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .

4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____ .

SUPPLEMENTAL DETAILED ACTION

1.   This office action is in response to the last telephone interview with the applicants with respect to the priority date based on the provisional application.

Response to Arguments

Applicant's request for reconsideration of the finality of the rejection of the last Office action with respect to priority of the provisional application is persuasive and, therefore, the finality of that action is withdrawn in view of a new ground of rejection.

Remark

2.   The mapping correspondence of claims 1-41 of the pending application 09/677,134 to the pages in the book entitled Netcentric and Client/Server computing filed on March 15, 2004, has been considered by the examiner. Thus, the declarations submitted by inventor Stanton J. Taylor, wherein the book entitled Netcentric and Client/Server computing was submitted as evidence in support of Mr. Taylor factual statement that the features of the invention disclosed in claims 1-41 are supported by the book complies with the MPEP section 715. The information referred to therein has been considered as to the merit. Mr. Stanton J. Taylor, however, is the sole inventor of the application 09/677,134, wherein the claims invention 1-41 of the cited application are described in the book entitled Netcentric and Client/Server computing which is authored by Mark Goodyear; Hugh W. Ryan; Scott R. Sargent; Stanton J. Taylor; Timothy M. Boudreau; Yannis S. Arvanitis; Richard A. Chang; John K. Kaltenmark; Nancy K. Mullen; Shari L. Dove; Michael C. Davis; John C. Clark; and Craig Mindrum. Since, Stanton J. Taylor is not the sole author of the book entitled

Netcentric and Client/Server computing; does not indicate which portion of the book describing

his own work with respect to the claims; and the inventive entities of the invention are different

from the book entitled Netcentric and Client/Server computing, therefore, the book entitled

Netcentric and Client/Server computing is a prior art of record.

Claim Rejections - 35 USC § 102

3.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

> the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign
> country, before the invention thereof by the applicant for a patent.

4.   Claims 1-41 are rejected under 35 U S. C. 102(a) as being clearly anticipated by

Goodyear et al., (article entitled "Netcentric and Client/Server Computing A practice Guide").

As to claim 1, Goodyear discloses the claimed "a plurality of database servers" **embodiments**

described on at **least page 17-4 and associated figures;** "a plurality of data stores each in

communication with one of the database servers, wherein the database servers are operable to

access the data stores" embodiments described on at **least page 17-4 and associated figures;** "a

client communicating with the database servers, wherein each of the data stores includes a

predetermined portion of the data used within the netcentric computing system" embodiments

described on at least page 17-4 associated figures; and "a webserver in communication with the

client to act as the primary interface between and the client and the database servers"

embodiments described on at least pages 1-13 and 3-18 and associated figures.

As to claim 2, Goodyear discloses the claimed "wherein the client communicates with the

database servers using a web browser application" embodiments described on at least page 3-21

and associated figure(s).

As to claim 3, Goodyear discloses the claimed "wherein the data is horizontally segmented to

form the predetermined potion of the data included in each of the data stores" embodiments

described on at least page 18-4 and associated figure(s).

As to claim 4, Goodyear discloses the claimed "wherein the data is vertically segmented to form

the predetermined portion of the data included in each of the data stores" embodiments described

on at least page 18-7 and associated figure(s).

As to claim 5, Goodyear discloses the claimed "wherein the data is segmented horizontally and

vertically to form the predetermined portion of the data included in each of the data stores"

embodiments described on at least page 18-8 and associated *figure(s)*.

As to claim 6, Goodyear discloses the claimed "wherein the predetermined portion of the data representing all of the data in the netcentric computing system resides on at least one central data store" embodiments described on at least page 18-14 and associated figures).

As to claim 7, Goodyear discloses the claimed "wherein a predetermined portion of the data is replicated to form the predetermined portion of the data residing on at least one local data store" embodiments described on at least page 18-9 and associated figures).

As to claim 8, Goodyear discloses the claimed "wherein the predetermined portion of the data residing on the at least one central data store. is segmented" embodiments described on at least pages 18-2 and 18-9 and associated figure(s).

As to claim 9, Goodyear discloses the claimed "wherein the predetermined portion of the data residing on the at least one local data store is segmented" embodiments described on at least pages 17-34 and 18-2 and associated figures.

As to claim 10, Goodyear discloses the claimed "a plurality of database servers" embodiments described on at least page 17-4 and associated figures; "a plurality of data stores in communication with the database servers" embodiments described on at least page 17-4 and associated figures; "a database located within each of the data stores, wherein each of the databases are representative of a segment of the data in the netcentric computing system" embodiments described on at least page 18-5 and associated figures; "a network for

communication with the database servers" embodiments described on at least pages 17-4 and

associated figures; and "a webserver for communication within the network to provide access by

the clients to the data. **embodiments described on at least pages 1-13 and 3-18 and associated**

figures.

As to claim 11, Goodyear discloses the claimed "wherein the data is horizontally segmented to

form the segment of the data included in each of the data stores" embodiments described on **at**

least page 18-4 and associated figures". . As to claim 12, Goodyear discloses the claimed

"wherein the data is vertically segmented to form the segment of the data included in each of the

data stores" **embodiments described on at least page 18-7 and associated figures.**

As to claim 13, Goodyear discloses the "wherein the data is horizontally and vertically segmented

to form the segment of the data included in each of the data stores" **embodiments described on at**

least page 18-8 and associated figures.

As to claim 14, Goodyear discloses the claimed "a central database server located at a central site"

embodiments described on at least page 118-16 and associated figures; "a central data store in

communication with the central database server" **embodiments described on at least page 18-16**

and associated figures; "a local database server located at a local site in communication with the

central database server" **embodiments described on at least page 18-16 and associated figures;**

"a local data store in communication with the local database server wherein the local data store is

populated with replica data of the data within the central data store" **embodiments described on**

at least page 18-2 and associated figures; "a network for communication with the local database

server and the central database server" **embodiments described on at least page 18-2 and**

associated figures; and "a webserver for communication within the network to provide the

primary interface for the clients to access the data within the netcentric computing system"

embodiments described on at least pages 1-13 and 3-18 and associated figures.

As to claim 15, Goodyear discloses the claimed "wherein the communication between the central

data base server and the local database server is via the network" **embodiments described on at**

least page 18-2 and associated figures.

As to claim 16, Goodyear discloses the claimed "wherein the replication is by unidirectional

updates" **embodiments described on at least page 18-11 and associated figures.**

As to claim 17, Goodyear discloses the claimed "wherein the replication is by bi-directional

updates" **embodiments described on at least page 18-12 and associated figures.**

As to claim 18, Goodyear discloses the claimed "identifying the data needs of a plurality of data

entity groups within the netcentric computing system" **embodiments described on at least page**

17-6 and associated figures; "identifying predetermined portions of the data to be used by the

data entity groups" embodiments described on at least page 17-16 and associated figures;

"distributing the predetermined portions of the data to a plurality of data stores" embodiments

described on at least page 17-27 and associated figures; "communicating with the data stores with

a plurality of database servers" embodiments described on at least page 17-24 and associated

figures; and "interfacing the database servers with the data entity groups using a webserver"

embodiments described on at least pages 1-13 and 3-18 and associated figures.

As to claim 19, Goodyear discloses the claimed "the act of segmenting the data. horizontally to

create the predetermined portions of the data" embodiments described on at least page 18-4 and

associated figures.

As to claim 20, Goodyear discloses the claimed "the act of segmenting the data vertically to create

the predetermined portions of the data" embodiments described on at least page 18-7 and

associated figures.

As to claim 21, Goodyear discloses the claimed "the act of segmenting the data horizontally and

vertically to create the predetermined portions of the data" embodiments described on at least

page 18-8 and associated figures.

As to claim 22, Goodyear discloses the claimed "the act of replicating the data to create the

predetermined portions of the data" embodiments described on at least page 18-9 and associated

figures.

As to claim 23, Goodyear discloses the claimed "determining a plurality of segmentation

parameters" **embodiments described on at least page 18-3 and associated figures;** "performing

segmentation of the data based on the segmentation parameters" **embodiments described on at least page 18-4 and associated figures;** "storing the segmented data in a plurality of data stores; **embodiments described on at least page 18-3 and associated figures;** "communicating with the data stores with a plurality of database servers" **embodiments described on at least page 18-5 and associated figures;** "**interfacing** the database servers with a plurality of clients using a webserver" **embodiments described on at least pages 1-13, 3-18 and 18-5 and associated figures; and** "selectively accessing the database servers depending on data requests initiated by the clients" **embodiments described on at least page 18-5 and associated figures.**

As to claim 24, Goodyear discloses the claimed "wherein the segmentation performed is horizontal segmentation" **embodiments described on at least page 18-4 and associated figures.**

As to claim 25, Goodyear discloses the claimed "wherein the segmentation parameters comprise a plurality of segmentation keys and the origin of the majority of the data requests" **embodiments described on at least page 18-3 and associated figures.**

As to claim 26, Goodyear discloses the claimed "wherein the segmentation performed is vertical segmentation" **embodiments described on at least page 18-7 and associated figures.**

As to claim 27, Goodyear discloses the claimed "wherein the segmentation parameters comprise determination of a plurality of related subject matter areas" **embodiments described on at least page 18-3 and associated figures.**

As to claim 28, Goodyear discloses the claimed "storing data in a central database; **embodiments described on at least page 18-14 and associated figures;** "replicating a predetermined portion of the data to create replica data" **embodiments described on at least page 18-9 and associated figures;** "transferring the replica data to a corresponding local database using a network" **embodiments described on at least page 18-4 and associated figures;** "updating the data in the central database and the local database" **embodiments described on at least page 18-4 and associated figures 18-13; and** "accessing the data and the replica data using the network and a webserver" **embodiments described on at least pages 1-13, 3-18 and 18-14 and associated Figures.**

As to claim 29, Goodyear discloses the claimed "the act of updating the data unidirectionally such that the local database is read only and updates to the replica data are performed in the central database" **embodiments described on at least page 18-11 and associated figures.**

As to claim 30, Goodyear discloses the claimed "the act of requesting an update to the replica data within the local database from the central database" embodiments described on at least page 18-11 and associated figures.

As to claim 31, Goodyear discloses the claimed, "the act of creating a snapshot of the data within the central database that corresponds to the replica data when the replica data is transferred" embodiments described on at least page **18-11** and associated figures.

As to claim 32, Goodyear discloses the claimed "the act of subsequently updating the local database with replica data that is replicated from the central database following an update of the data in the central database that corresponds to the snapshot" embodiments described on at least page **18-11** and associated figures.

As to claim 33, Goodyear discloses the claimed "the act of subsequently updating the local database only with changes to the replica data based on the snapshot" embodiments described on at least page **18-13** and associated figures.

As to claim 34, Goodyear discloses the claimed "the act of publishing the replica data when a pre-determined threshold is reached" embodiments described on at least page 18-12 and associated figures.

As to claim 35, Goodyear discloses the claimed "the acts of monitoring the publications of replica data with a local database server, and updating the corresponding local database with replica data when the replica data that was published is an update to the replica data in the local database" embodiments described on at least page 18-13 and associated figures.

As to claim 36, Goodyear discloses the claimed "the act of updating the central database and the local database using bi-directional replication" embodiments described on at least page 18-12 and associated figures.

As to claim 37, Goodyear discloses the claimed "the act of updating the central database and the local database using selective replication" embodiments described on at least page 18-13 and associated figures.

As to claim 38, Goodyear discloses the claimed "the act of updating the central database with a remote log-on approach" embodiments described on at least page 18-14 and associated figures.

As to claim 39, Goodyear discloses the claimed "the act of updating the central database with a remote batch approach" embodiments described on at least page 18-14 and associated figures.

As to claim 40, Goodyear discloses the claimed "the act of updating the central database with a local checkout approach" embodiments described on at least page 18-15 and associated figures.

As to claim 41, Goodyear discloses the claimed "the act of updating the central database and the local database using a local update strategy" embodiments described on at least page 18-15 and associated figures.

Conclusion

5.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jean M. Corrielus whose telephone number is (571) 272-4032. The examiner can normally be reached on Monday - Friday (7:30AM - 5:30 pm). If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John E Breene can be

reached on (703) 305-9790. The fax phone number for the organization where this application or

proceeding is assigned is 703-872-9306. Information regarding the status of an application may be

obtained from the Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR. Status

information for unpublished applications is available through Private PAIR only. For more

information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on

access to the Private PAIR syste5 contact the Electronic Business Center (EBC) at 866-217-9197

(toll-free).

Jean M. Corrielus

Patent Examiner.

December 2, 2004